(3)

Final

माननीय छत्तीसगढ़ उच्च न्यायालय बिलासपुर (छ.ग.)

रिट याचिका क्रं. 2960 /2003

याचिकाकर्ता : मनहरण लाल कौशिक,उम्र 28 वर्ष,
आ0 स्व. छेदीलाल कास्तकार एवं
निवासी ग्राम परसदा, तहसील व जिला
बिलासपुर (छ0ग0)

विरूद्ध

उत्तरवादीगण :1. छ0ग0 शासन वास्ते मुख्य सचिव
छत्तीसगढ़ शासन, सचिवालय
रायपुर छ0ग0

2. अतिरिक्त कलेक्टर,
बिलासपुर छ.ग.

3. अनुविभागीय अधिकारी (राजस्व)
बिलासपुर छ0ग0

4. नरेश कुमार कौशिक, पिता भुलउराम
उम्र 32 वर्ष, सरंपच एवं निवासी ग्राम
पंचायत परसदा तहसील व
जिला बिलासपुर छ.ग.

P. R. No. 2961/03
Presented by Shri Comp. Pd. Kaushik
dated 30.6.03

याचिका अन्तर्गत अनुच्छेद 226/227 भारतीय संविधान

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2960/03 सन् 200

विरुद्ध

आदेश का क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24-9-2003 Shri G.P. Kaushik, counsel for the petitioner. The petitioner has preferred this writ petition being aggrieved by the order dated 11-3-2003 passed by the Additional Collector, Bilaspur by which the election proceeding pending before the S.D.O. has been stayed. The petitioner's petition is that the petitioner contested the election for the post of Sarpanch of village Parsada in which respondent No.4 was elected. The petitioner moved an election petition challenging the said election before the S.D.O., Bilaspur. Vide order dated 17-2-2003 the petition of the petitioner was dismissed on the ground that the notice under Section 80 of the C.P.C. was not given. Thereafter the petitioner moved a petition for recalling the order dated 17-2-2003 that in the matter of election, notice under Section 80 of the C.P.C. is not applicable. The application was allowed by the S.D.O., Bilaspur and the matter was restored to its original number. Against this order respondent No.4 moved a revision before the Additional Collector, Bilaspur and in that matter the Additional Collector passed the impugned order by which the proceeding of the S.D.O. has been stayed. The learned counsel for the petitioner submits that there is no provision in the Panchayat Act for filing of revision petition against the order passed by the S.D.O. restoring the petition of the petitioner. Moreover, the revision petition was filed by respondent No.4 on 11-3-2003 and on the same day the Additional Collector stayed the proceeding and that	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

revision is pending since last six months and the Additional Collector is not deciding the revision.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.2 is directed to decide the revision as early as possible preferably within a period of two months and not later than 2 months.

With these observations, the writ petition is disposed of.

Consequently, M.(W.)P. No. 2716/2003 and I.A. No. 8829/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve

[पीछे देखिये